

# LEGISLATION 101

## TOBACCO CONTROL POLICIES & LEGISLATIVE PROCESS

# THE PUBLIC HEALTH LAW CENTER



# LAND ACKNOWLEDGMENT

We acknowledge our presence in the tribal and treaty homelands of the Dakota Oyate since time immemorial. These lands are home to the Sisseton, Wahpeton, Mdewakanton and Wahpekute Dakota peoples. There are four Tribal Nations who remain in these lands as tribal governments, the Lower Sioux Indian Community, the Prairie Island Indian Community, the Shakopee Mdewakanton Sioux Community, and the Upper Sioux Community. We acknowledge and respect the Dakota Oyate as part of the larger Sioux Nation, traditionally known as the Seven Council Fires, the Oceti Sakowin. We also acknowledge the regional territory of the Ojibwe/Chippewa/Anishinaabe peoples in these tribal homelands. There are seven Tribal Nations who remain in these lands as tribal governments, the Bois Forte Band of Chippewa, the Leech Lake Band of Ojibwe, the Fond du Lac Band of Lake Superior Chippewa, the Grand Portage Band of Lake Superior Chippewa, the Mille Lacs Band of Ojibwe, the Red Lake Band of Chippewa Indians, and the White Earth Nation. We also acknowledge the ancestral connection of the Ho-Chunk Nation to this region. In these tribal lands, Indigenous peoples have joined together in community, stewardship, and spirituality upholding traditional values and legal principles.

Developed by:

**Native American Law and Sovereignty Institute (NALS Institute)**  
at Mitchell Hamline School of Law, used here with permission.

<https://mitchellhamline.edu/native-american-law-and-sovereignty/>

**EQUALITY:**

Everyone gets the same – regardless if it's needed or right for them.



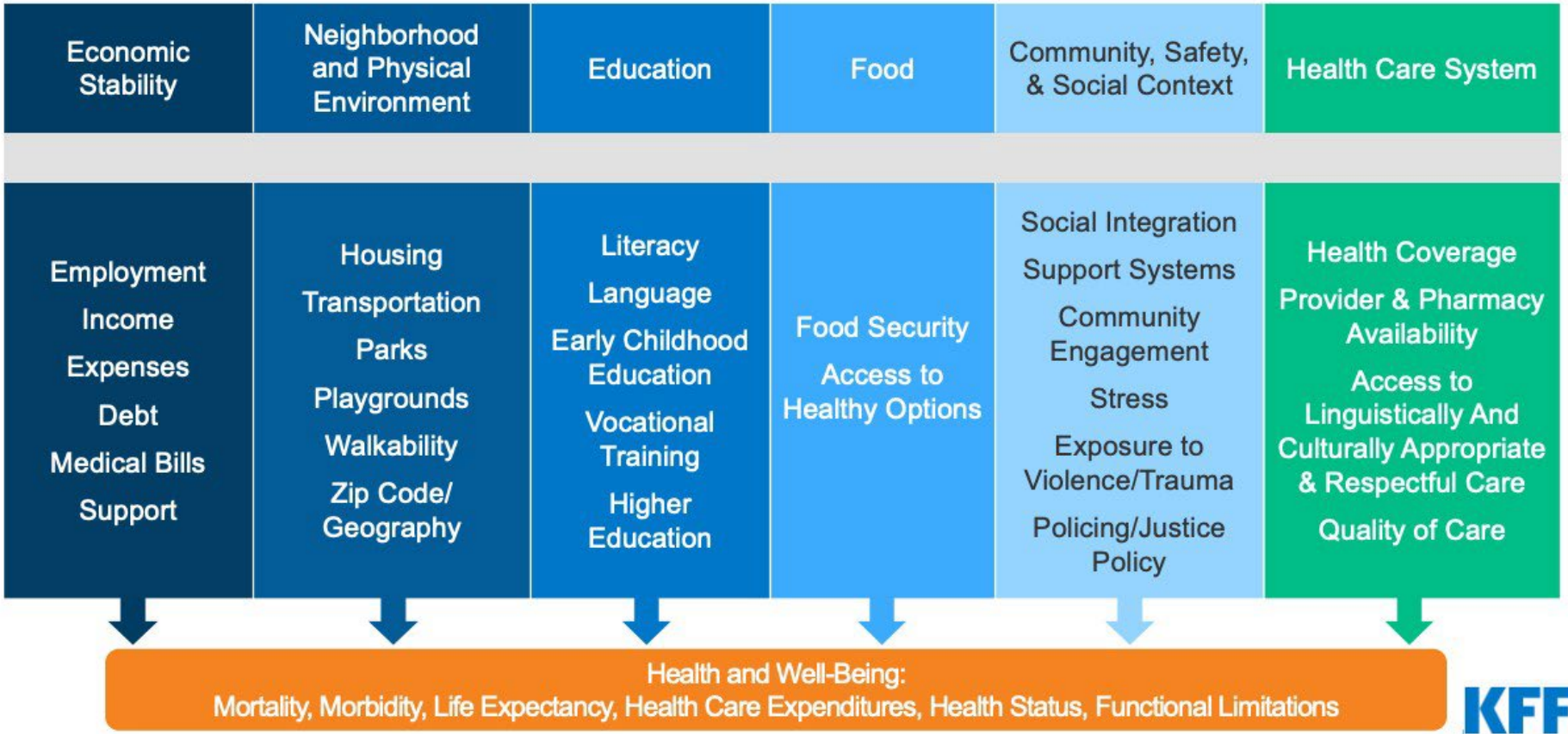
**EQUITY:**

Everyone gets what they need – understanding the barriers, circumstances, and conditions.









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# Social Determinants of Health



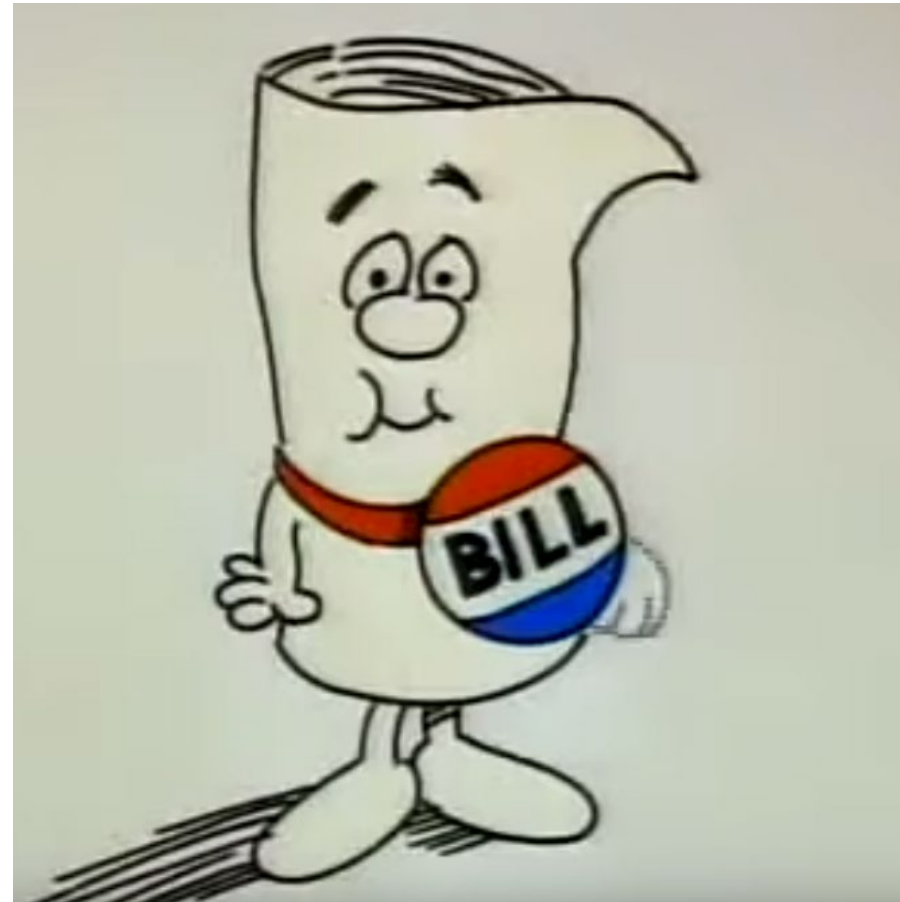
Source: [Kaiser Family Foundation](https://www.kff.org/)

# LEGAL TECHNICAL ASSISTANCE

-  Legal Research
-  Policy Development, Implementation, Defense
-  Publications
-  Trainings
-  Direct Representation
-  Lobby

# WEBINAR OUTLINE

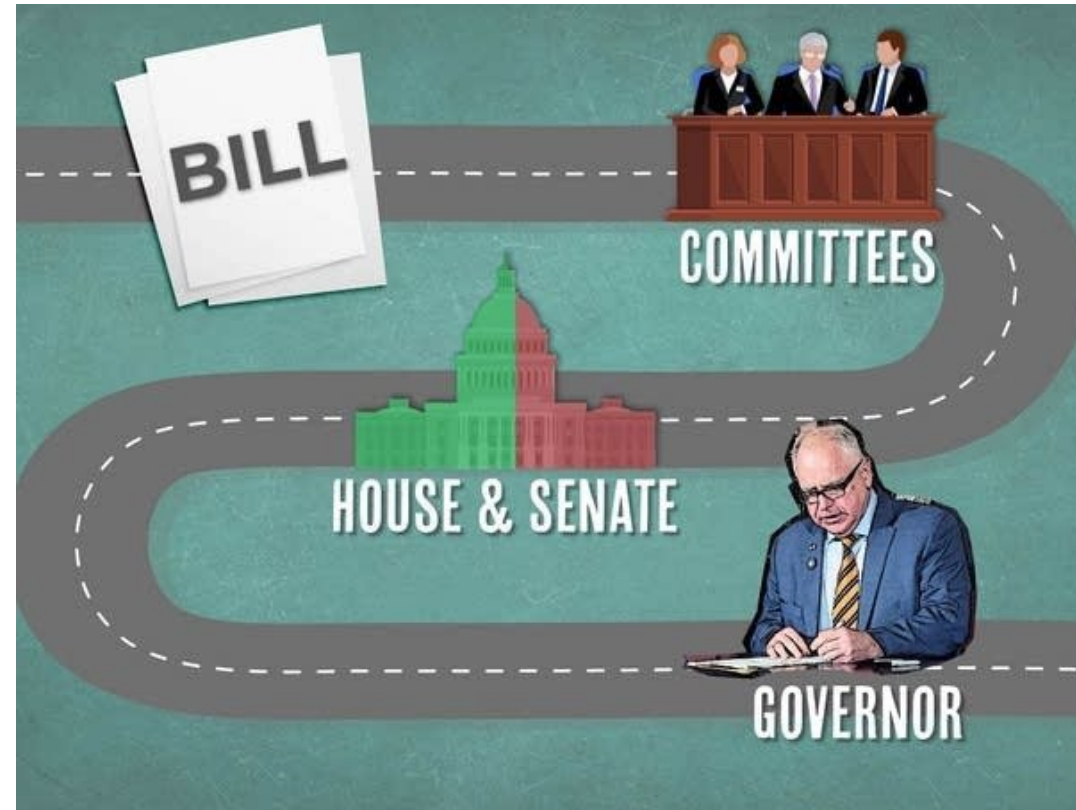
- Introduction
- Legislative process overview
- Preemption overview
- Ohio case study
- Tips for public engagement



Credit: Screenshot from Schoolhouse Rock!  
["I'm Just a Bill."](#)

# BILL LIFE CYCLE

- Introduction
- Committee hearings
- Floor proceedings
- Other chamber action
- Conference committees
- Governor action



Credit: MPR News



# STATES ARE UNIQUE

- Most states have similar structures and procedures
- But get to know your state's rules!
- National Conference of State Legislature
  - When in session
  - Full/ part time



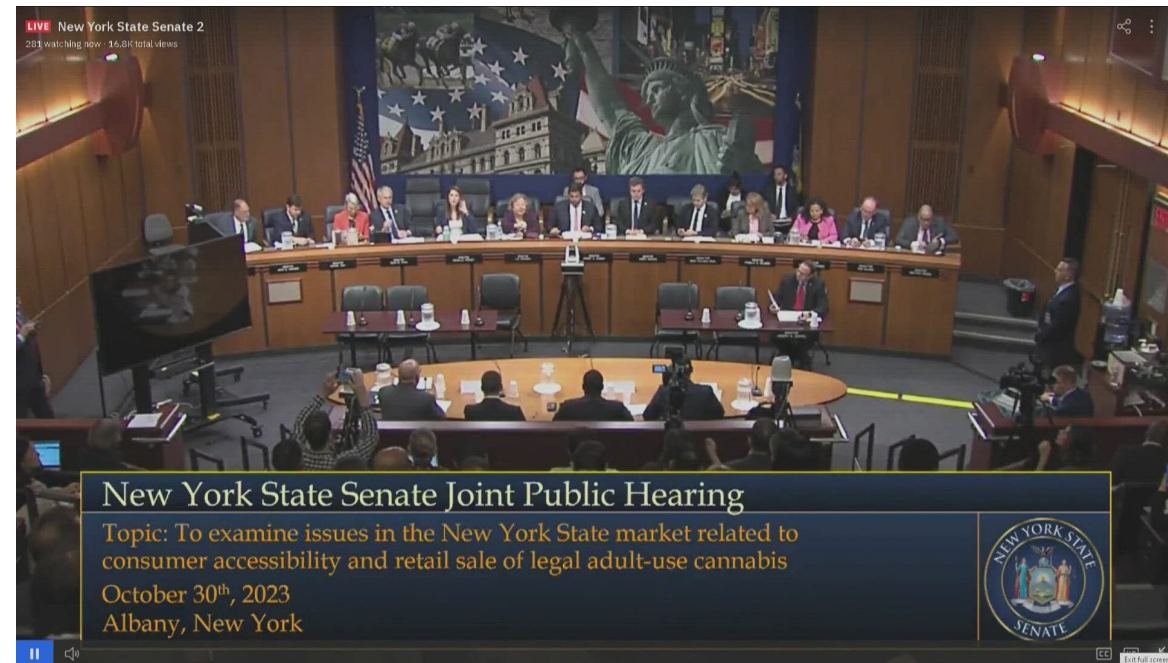
# BILL INTRODUCTION

- Bill preparation
- Sponsors
- Coordination with other chamber
- Deadlines and timing for introduction
- Reason for bill introductions



# COMMITTEE HEARINGS

- Bill referrals
- Committee rules
- Bill hearings
- Amendments and "mark up"
- Committee action
- Committee reports



Credit: NY State Senate

# FLOOR PROCEEDINGS

- Rules committees
- Three "readings"
- Committees of the whole
- Amendment rules
- Final debate



# OTHER CHAMBER ACTION

- Accept and pass
- "Ping pong"
- Conference committees



# GOVERNOR ACTION

- Sign
- Veto
- Pocket veto



# PUBLIC ENGAGEMENT

## TRACK A BILL

The screenshot shows the top navigation bar of the Ohio Legislature website. The header includes the Ohio Legislature logo, the text "THE OHIO LEGISLATURE 135TH GENERAL ASSEMBLY", and a "My Ohio Legislature" link. Below the header is a navigation menu with links for HOME, SCHEDULES, LEGISLATION, LEGISLATORS, COMMITTEES, SESSION, BUDGET, LAWS, and PUBLICATIONS, along with a search icon.

The main content area is divided into three columns:

- QUICK LINKS:** A grid of links including Senate Directory, Senate Committees, House Directory, House Committees, Calendar, Ohio Laws, Session Schedule, and Journals.
- 135th General Assembly Special Session:** A highlighted section with a red border.
- SEARCH LEGISLATION:** A search interface with a "Chamber" selector (radio buttons for Both, Senate, House), a text input field for keywords or bill numbers, and a "Search" button.
- WHO REPRESENTS ME?:** Two search options: "Search By Address" with a text input field and a "Search" button; and "Search By ZIP" with a link to "What's My 9-Digit ZIP Code?", a text input field for ZIP codes, and a "Search" button.

At the bottom of the main content area, there is a "MY OHIO LEGISLATURE" section with a description: "Track bills and receive email alerts on legislation that interests you." and buttons for "Create Account", "Sign In", and "About". Below this is a circular icon of a person with a magnifying glass.

At the bottom right, there is a link to "Browse the Interactive District Maps" with a map icon.

# PUBLIC ENGAGEMENT



Credit: NAMI Tennessee

- Advocacy Organizations
  - Build Coalitions
- Media
  - OpEds, Commentary, Articles
- Testifiers
  - Days on the Hill



# DO I NEED A LOBBYIST?

- Lobbyists can be helpful at navigating the Capitol
- Dedicated to your cause and interest
- Depending on your organization or individual capacity, may not be necessary



Credit: Daniel Huizinga

# FLAVOR BANS & PREEMPTION AN OHIO STORY



Credit: ANRF

# HB 513 – INTRODUCTION & AMENDMENT



Original bill on “bad debt” from tobacco retailers

Uncontroversial



Senate amended in December 2022 to add preemption provision

Limits tobacco control to state and federal government

# PUBLIC TESTIMONY

- Public engagement from opponents of the amendment
  - Local public health organizations opposed
- Debate in committee and on the floor
  - Minority party raised concerns about preemption
    - Violates the Home Rule
    - Puts young people at risk of addiction
    - Prevents localities from addressing known problems
  - Majority party had the votes to pass the bill in both the House and the Senate
    - Wanted to limit jurisdictions' ability to curb retail

# VETO

- Gov. DeWine vetoed HB 513 because he the link between vaping and youth nicotine addiction was too strong
- He wanted localities to deal with this issue how they see fit



## PREEMPTION PART 2



- Proponents amend an education appropriations bill (HB 33) with tobacco preemption
- Less visibility on the language because of the importance of education funding
- Debated on the floor, but the amendment was included
- Gov. line item vetoed the provision for similar reasons as HB 513
- House and Senate overrode the line item veto
- Provision becomes law

# OHIO COURTS



Credit: OHM Advisors

# LEGISLATIVE PROCESS



MULTIPLE SESSIONS  
OR YEARS



RELATIONSHIP  
BUILDING



GATHERING PUBLIC  
SUPPORT



# CONTACT US



651.290.7506



[publichealthlawcenter@mitchellhamline.edu](mailto:publichealthlawcenter@mitchellhamline.edu)



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